Title: METHOD OF DETECTING MICROORGANISMS IN A SAMPLE

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In the Claims

Please amend the claims as follows:

- 1. (Currently Amended) A method of detecting microorganisms in a sample by means of a detectable nucleic acid probe molecules comprising the following steps:
 - a) fixing the microorganisms contained in the sample;
 - incubating the fixed microorganisms with the detectable nucleic acid probe molecules;
 - c) removing nonhybridized nucleic acid probe molecules;
 - d) separating hybridized nucleic acid probe molecules without using formamide and
 - e) detecting the separated nucleic acid probe molecules.
- 2. (Original) A method according to Claim 1, wherein the separated nucleic acid probe molecules in step e) are also quantified.
- 3. (Previously Amended) A method according to Claim 1, wherein the separation solution used in step d) is selected from the group consisting of water, buffered water, DMSO and SSC.
- 4. (Original) A method according to Claim 3, wherein the separation solution is 0.001 1.0 M Tris/HC1, pH 9.0 +/- 2.0.
- 5. (Previously Amended) A method according to Claim 3, wherein the separation solution is 0.01 M Tris/HC1, pH 9.0 +/- 2.0.
- 6. (Previously Amended) A method according to Claim 1, wherein step d) is carried out at a temperature of 50 to 100 °C.
- 7. (Previously Amended) A method according to Claim 1, wherein step d) is carried out at a temperature lower than 100 °C.

8. (Previously Amended) A method according to Claim 1, wherein step d) is carried out at a temperature of approximately 80 °C.

- 9. (Currently Amended) A method according to Claim 1, wherein the nucleic acid probe molecules are is complementary to a chromosomal or episomal DNA, an mRNA or rRNA of a microorganism to be detected.
- 10. (Currently Amended) A method according to Claim 1, wherein the <u>detectable</u> nucleic acid probe <u>molecules comprise nucleic acid probe molecules</u> is covalently bonded to a detectable marker.
- 11. (Original) A method according to Claim 10, wherein the detectable marker is selected from the group of the following markers:
 - a) fluorescence markers,
 - b) chemoluminescence markers.
 - c) radioactive markers,
 - d) enzymatically active group,
 - e) haptene,
 - f) nucleic acid detectable by hybridization.
- 12. (Previously Amended) A method according to Claim 1, wherein the microorganism is a single-cell microorganism.
- 13. (Previously Amended) A method according to Claim 1, wherein the microorganism is a yeast, a bacterium, an alga or a fungus.
- 14. (Original) A method according to Claim 13, wherein the microorganism belongs to the genus *Salmonella*.

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15. (Previously Amended) A method according to Claim 1, wherein the sample is an environmental sample taken from water, soil or air.

- 16. (Previously Amended) A method according to Claim 1, wherein the sample is a food sample.
- 17. (Original) A method according to Claim 16, wherein the sample is taken from milk or milk products, drinking water, beverage, baked products or meat products.
- 18. (Previously Amended) A method according to Claim 1, wherein the sample is a medicinal sample.
- 19. (Original) A method according to Claim 18, wherein the sample is taken from tissue, secretions or fecal matter.
- 20. (Previously Amended) A method according to Claim 1, wherein the sample is taken from wastewater.
- 21. (Original) A method according to Claim 20, wherein the sample is taken from activated sludge, putrefactive sludge or anaerobic sludge.
- 22. (Previously Amended) A method according to Claim 1, wherein the sample is taken from a biofilm.
- 23. (Original) A method according to Claim 22, wherein the biofilm is taken from an industrial plant, is formed in purification of wastewater or is a naturally occurring biofilm.
- 24. (Previously Amended) A method according to Claim 1, wherein the sample is taken from a pharmaceutical or cosmetic product.

SUPPLEMENTAL PRELIMINARY AMENDMENT

Serial Number: 10/008,523 Filing Date: January 15, 2003

and

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- 25. (Previously Amended) A kit for carrying out the method according to Claim 1, comprising:
 - a) at least one hybridization buffer,
- b) at least one detectable nucleic acid probe for specific detection of a microorganism, and
 - c) at least one detectable nucleic acid probe for performing a negative control.
- 26. (Previously Amended) A kit according to Claim 25, comprising at least one specific probe for detection of bacteria of the genus Salmonella.
- 27. (Previously Amended) A kit according to Claim 26, comprising the nucleic acid probes Salm63: 5'-TCGACTGACTTCAGCTCC-3'

NonSalm: 5'-GCTAACTACTTCTGGAGC-3' or a nucleic acid probe that differs from Salm 63 and/or NonSalm by a deletion and/or an addition, whereby the ability of this probe to hybridize with Salmonella-specific nucleic acid is maintained, or a nucleic acid that can hybridize with the aforementioned nucleic acids.